

1 JUDGE MARSHA J. PECHMAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 UNITED STATES OF AMERICA,) NO. CR05-317-MJP
10 Plaintiff,)
11 vs.) ORDER ON STIPULATED MOTION
12 TAM VAN DANG and SANXAY) TO CONTINUE PRETRIAL MOTIONS
HANG XAYADETH,) FILING DATE AND TRIAL DATE
13 Defendants.)
14 _____)
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THE COURT having considered the stipulation of the parties, the records and files herein, and the motion for continuance of pretrial motions date, the Court hereby makes the following findings:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

2. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public and the defendants in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

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2 IT IS THEREFORE ORDERED that the time within which pretrial motions must
3 be filed in this case is extended from September 29, 2005 to December 1, 2005 and the
4 trial date from October 26, 2005 to January 17, 2006.

5 IT IS FURTHER ORDERED THAT the time period between October 26, 2005
6 and January 17, 2006 is excludable time, pursuant to 18 U.S.C. § 3161(h)(8)(A), for the
7 purposes of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C.
8 § 3161-3174.

9 DONE this 1st day of November, 2005.

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11 /S/Marsha J. Pechman
12 HONORABLE MARSHA J. PECHMAN
13 UNITED STATES DISTRICT JUDGE

14 Presented by:

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